

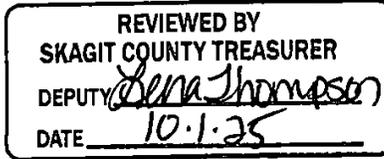


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10/01/2025 11:23 AM Pages: 1 of 9 Fees: \$311.50
Skagit County Auditor

When recorded return to:

Lake Tyee, Inc.
4571 Burpee Hill Road
Concrete, WA 98237



TITLE OF DOCUMENT: Boundary Line Agreement

GRANTORS: (1) Lake Tyee, Inc., a Washington non-profit corporation
(2) Leonard Alexander Marshall and Donna Marshall, h/w

GRANTEES: (1) Lake Tyee, Inc., a Washington non-profit corporation
(2) Leonard Alexander Marshall and Donna Marshall, h/w

ABBREVIATED LEGAL DESCRIPTIONS:

Plat of Lake Tyee Division No. 2, Common Area and Lot C-42, Plat of Lake Tyee Division No. 2;
ptn SE ¼ SE ¼ Sec 28, T 36 N, R 8 EWM
Additional Legal Description Located in Exhibits A, B, C and D

ASSESSOR'S PROPERTY TAX PARCEL NO'S:

P109621 (Lake Tyee, Inc.) and P79000 (Marshall)

REFERENCE NUMBERS OF RELATED DOCUMENTS:

AFN 199609260081, AFN 201405010055

BOUNDARY LINE AGREEMENT

This Boundary Line Agreement (the Agreement) is between Lake Tyee, Inc. (Lake Tyee) and Leonard Alexander Marshall and Donna Marshall, h/w (Marshall). The parties make this Agreement under RCW 58.04.007, permitting property owners to resolve uncertain or disputed property boundaries by entering into a written agreement establishing the location of a common boundary line. This Agreement takes effect upon recording.

I. Parties and Ownership.

- 1.1 Lake Tyee Inc. owns Parcel P109621 near Concrete, in Skagit County, Washington, commonly known as Lake Tyee recreational property. The description for the Lake Tyee Inc. property is attached as Exhibit "A".
- 1.2 Marshall owns Parcel P79000 near Concrete, Skagit County, Washington, commonly known as 44781 Nika Kena Trail, Concrete, Washington. The legal description for the Marshall property is attached as Exhibit "B".

II. Basis for Boundary Line Agreement (BLA).

- 2.1 On August 13, 2025, a survey sketch of Lot C-42 of the Plat of Lake Tyee Division No. 2 was prepared by Denny LeGro, PLS of LeGro and Associates LLC based upon the survey of subject site at the request of Darius Kalvaitis in anticipation of purchasing subject property. The results of the survey determined that substantial existing improvements (Nika Kena Trail as-built roadway and the building upon said Lot C-42) had been previously constructed not entirely within the platted road right-of-way and/or lot boundaries, as depicted upon Exhibit "E" attached.
- 2.2 Because building improvements are subjected to review by Lake Tyee and because a significant portion of the existing improvements fell outside of the designated platted road right-of-way and/or lot boundaries, a Boundary Line Agreement to exchange an equal amount of area between the lot owner (Marshall) and the Association (Lake Tyee) was proposed and approved by the Lake Tyee Board of Director's at their regularly scheduled meeting held on August 16, 2025.
- 2.3 Under RCW 58.04.007, property owners may agree to a fixed, surveyed boundary when an existing legal description is uncertain or in dispute. The parties agree that a boundary line agreement is appropriate and necessary to clarify and permanently fix their common boundary. The parties have reached an agreement such that they all recognize the "AFTER" Boundary Line Agreement Sketch attached as Exhibit "F" as accurately delineating the boundary between their respective parcels, and wish to memorialize their agreement by this instrument.

III. The Agreed Location For The Common Boundary.

- 3.1 By this Agreement, the center of Lot C-42, Plat of Lake Tyee Division No. 2, a 25 foot radius circle lot, shall be relocated from its' originally platted center location coordinates of N 3165.97, E 7050.35 a distance of 17.30 feet bearing N 88°28'35" E to the new lot circle center coordinates of N 3166.43, E 7067.65.

IV. Agreement

Now, therefore, in consideration of the mutual promises and covenants set forth herein, the sufficiency of which is acknowledged by all parties, and for no monetary consideration, it is hereby agreed as follows:

- 4.1 The boundary between Marshall's and Lake Tyee shall be along the line as established herein above.
- 4.2 The provisions of this Agreement shall be construed as covenants running with the land, and shall be binding on the parties hereto and their respective heirs, successors and assigns.
- 4.3 This Agreement shall be construed under the laws of the State of Washington. If any part of this Agreement is rendered unenforceable by a court of competent jurisdiction, the remaining portions shall continue to be fully enforceable.
- 4.4 The resulting boundary line will not create an additional parcel, nor will the resulting parcels be inconsistent with the performance standards with existing Skagit County Zoning regulations.
- 4.5 The resulting shared common boundary of the parcels does not remove or impinge upon any easements, covenants, restrictions, or encumbrances affecting any of the parcels consolidated.
- 4.6 Both parties acknowledge that they have been represented by counsel in the negotiation and drafting of this Agreement, or have been given the opportunity to do so, and that no specific construction shall be placed upon the party drafting the same. Each party shall bear their own costs and fees, including surveying costs, associated with this agreement.

EXHIBIT "A"

LAKE TYEE INC.
TAX PARCEL No. P109621

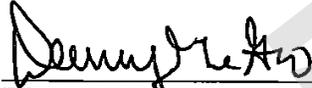
"BEFORE" BOUNDARY LINE AGREEMENT

LEGAL DESCRIPTION

That portion of the SE ¼ of the SE ¼ of Section 28, Township 36 North, Range 8 East, W.M., described as follows:

That portion of "LAKE TYEE DIVISION NO. II" as recorded in Volume 11 of Plats, Pages 15 to 24, inclusive, under Auditor's File No. 819944, records of Skagit County, Washington, referred to as the Common Area.

All situate in the County of Skagit, State of Washington.



DENNY D. LEORO
Registered Professional Land Surveyor
License No. 37532
Date: 9-10-25

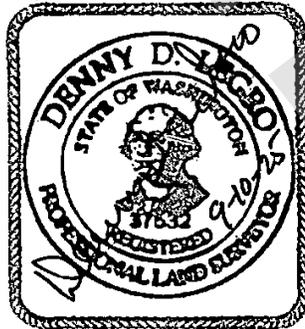


EXHIBIT "B"

LEONARD ALEXANDER MARSHALL & DONNA MARSHALL, H/W
TAX PARCEL No. P79000

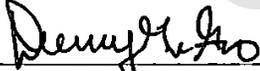
"BEFORE" BOUNDARY LINE AGREEMENT

LEGAL DESCRIPTION

Lot C-42, "LAKE TYEE DIVISION NO. II", Volume 11 of Plats, Pages 15 to 24, inclusive, as recorded under Auditor's File No. 819944, records of Skagit County, Washington.

The center point of the above described 25 foot radius circle lot is further described upon the face of the plat as the following North and East plat coordinates: N 3165.97 and E 7050.35.

All situate in the County of Skagit, State of Washington.



DENNY D. NEGRO
Registered Professional Land Surveyor
License No. 37532
Date: 9-10-25



EXHIBIT "C"

LAKE TYEE INC.
TAX PARCEL No. P109621

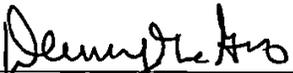
"AFTER" BOUNDARY LINE AGREEMENT

LEGAL DESCRIPTION

That portion of the Common Area and of Lot C-42, "LAKE TYEE DIVISION NO. II" as recorded in Volume 11 of Plats, Pages 15 to 24, inclusive, under Auditor's File No. 819944, records of Skagit County, Washington, EXCEPT the following described tract of land:

A tract of land lying within the boundaries of a 25 foot radius circle lot, the center of which originally being described upon the face of the plat by North and East plat coordinates: N 3165.97 and E 7050.35, has been relocated N 88°28'35" E a distance of 17.30 feet to the following North and East plat coordinates: N 3166.43 and E 7067.65 per the conditions of this Boundary Line Agreement.

All situate in the County of Skagit, State of Washington.



DENNY D. LE GRO
Registered Professional Land Surveyor
License No. 37532
Date: 9-10-25

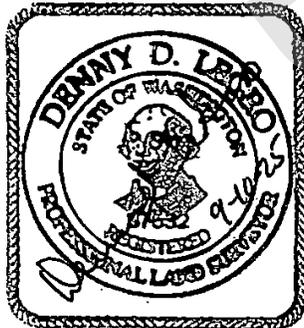


EXHIBIT "D"

LEONARD ALEXANDER MARSHALL & DONNA MARSHALL, H/W
TAX PARCEL No. P79000

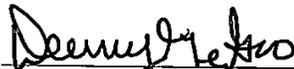
"AFTER" BOUNDARY LINE AGREEMENT

LEGAL DESCRIPTION

That portion of the Common Area and of Lot C-42, "LAKE TYEE DIVISION NO. II" as recorded in Volume 11 of Plats, Pages 15 to 24, inclusive, under Auditor's File No. 819944, records of Skagit County, Washington, lying within the boundaries of the following described circle:

A 25 foot radius circle lot, the center of which originally being described upon the face of the plat as the following North and East plat coordinates: N 3165.97 and E 7050.35, has been relocated N 88°28'35" E a distance of 17.30 feet to the following North and East plat coordinates: N 3166.43 and E 7067.65 per the conditions of this Boundary Line Agreement.

All situate in the County of Skagit, State of Washington.



DENNY D. LEGRO
Registered Professional Land Surveyor
License No. 37532
Date: 9-10-25

